

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

NICOLE WOOTEN,

Plaintiff,

v.

LIMETREE BAY TERMINALS d/b/a
OCEAN POINT TERMINALS, PORT
HAMILTON REFINING AND
TRANSPORTATION, and WEST INDIES
PETROLEUM, LTD.,

Defendants.

Case No. 1:23-CV-00012

ACTION FOR DAMAGES

JURY TRIAL DEMANDED

AFFIRMATION OF LEE J. ROHN

TERRITORY OF THE VIRGIN ISLANDS

)

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SS.

DIVISION OF ST. CROIX

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I, Lee J. Rohn, being first duly sworn, do state upon my oath as follows:

1. I am the attorney for the Plaintiff in the above-captioned action and as such, I have personal knowledge of the facts contained herein.

2. Defendant West Indies Petroleum, Ltd., pursuant to Rule 4, is not an infant, an incompetent person, or engaged in military service.

3. On February 21, 2023, Defendant West Indies Petroleum, Ltd. was service with the Summons and First Amended Complaint by delivering and leaving with Precious Hardcastle at the Resident Agent's office of Attorney Kye Walker. (**Exhibit "1"**).

4. The twenty (20) days allowed Defendant West Indies Petroleum, Ltd. to appear expired on or about March 13, 2023, and Defendant West Indies Petroleum, Ltd.

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has failed to defend or otherwise plead in this action.

5. This Affirmation is being executed in support of the Request for Entry of Default, pursuant to Federal Rules of Civil Procedures 55(a).

FURTHER AFFIANT SAITH NOT

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Date: 03/28/2023

/s/ Lee J. Rohn
Lee J. Rohn, Esquire